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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/612,777

07/01/2003

Rodger H. Rast

KeyboardRAST070103

5895

7590

03/24/2006

Rastar Corporation  
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Gold River, CA 95670

EXAMINER

DANG, HUNG Q

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/612,777

Applicant(s)

RAST, RODGER H.

Examiner

Hung Q. Dang

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) 5-54 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This communication is in response to applicant's claims election dated 2/21/2006. Applicant has elected claims 1-4, without traverse.

### *Claim Objections*

2. Claim 4 is objected to because of the following informalities: the word "gut" should be changed to "but". Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford U.S. Patent 6,400,285 in view of Karasik et al. U.S. Patent 5,824,978.

**Regarding claims 1-3**, Gifford teaches a keyboard having a plurality of keys (abstract) that upon being pressed past a selection threshold generate a keystroke for entry into the current application, wherein the improvement comprises:

means of sensing intermediate key pressure (column 1, lines 50-56); and  
programming in the application for generating feedback as to which key is subject to the intermediate pressure (paragraph bridging columns 4-5).

Even though, Gifford teaches generating a signal if the pressure **exceeds** a threshold, not sensing intermediate pressure, which is **less than** that required to generate a selection; however, one skilled in the art would recognize that the pressure generated when a key is pressed is either higher or lower than a predetermined threshold; and it would have been obvious to one skilled in the art to provide generating a feedback when a sensed pressure which is less than that required to generate a selection.

Furthermore, Gifford does not specifically teach the capability wherein the user can change hand positioning to find the desired key before entering a keystroke.

Karasik et al., in the same field of endeavor, teaches a keyboard, wherein the user can change hand positioning to find the desired key before entering a keystroke (See Figures 1-3; when the middle contacts are touched, a first value is generated; when more pressure is applied, the side contacts are touched, a second value is generated).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide the capability wherein the user can change hand positioning to find the desired key before entering a keystroke, to the keyboard disclosed by Gifford, as evidenced by Karasik et al., in order to generated a desired key depending on how much pressure is applied to a key.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford U.S. Patent 6,400,285 in view of Karasik et al. U.S. Patent 5,824,978 and in further view of Waldman U.S. Patent 5,311,175.

**Regarding claim 4**, Gifford in view of Karasik et al. teaches a keyboard as claimed in claim 4, except wherein if the pre-selected key is pressed, a normal keystroke is registered, but if released, the preselection feedback disappears as well, or is replaced by the user preselecting another key by applying an intermediate level of pressure.

Waldman, in the same field of endeavor, teaches a keyboard, which includes wherein if the pre-selected key is pressed, a normal keystroke is registered, but if released, the preselection feedback disappears as well, or is replaced by the user preselecting another key by applying an intermediate level of pressure (See figure 7 and column 8).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide registering a keystroke when a pre-selected key is pressed and the preselection feedback of said press disappears when said key is released, to the keyboard disclosed by Gifford in view of Karasik et al., as evidenced by Waldman, generate/release a feedback when a key is pressed.

### Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571) 272-3069. The examiner can normally be reached on 9:30AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung Q. Dang  
3/20/2006  
H.D.

HID

MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
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